

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ERIC C. PEARCE
29 Amble Road
Chelmsford, Massachusetts

Plaintiff,

v.

KEITH BAUMM
9 Lincoln Street
East Boothbay, Maine AND
ADVANCED COMPOSITE
ENGINEERING D/B/A
AEGIS BICYCLES
44 Elm Street
Camden, Maine

Defendant,

CIVIL ACTION NO.:
1:05-cv-11694

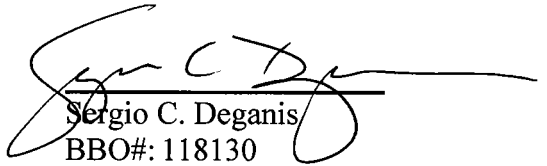
JURY TRIAL DEMANDED

November 14, 2006

CONSENTED TO MOTION FOR CONTINUANCE OF
SCHEDULING CONFERENCE

Pursuant to Local Rule 40.3, the undersigned plaintiff hereby moves for a continuance of the Scheduling Conference which is currently set for November 30, 2006 at 2:30pm. All parties to this action have been contacted and consent to the granting of this motion. The parties are available for this conference on December 12, 18 or 19, 2006. This is the first Motion for Continuance of the Scheduling Conference that has been filed by the parties to this action. An affidavit of good cause is attached hereto in support of this motion.

Respectfully submitted:
THE PLAINTIFF,
Eric C. Pearce,
By his attorneys,
Ouellette, Deganis & Gallagher, LLC

A handwritten signature in black ink, appearing to read "Sergio C. Deganis", is written over a horizontal line.

Sergio C. Deganis
BBO#: 118130
143 Main Street, Cheshire, CT 06410
(203) 272-1157
Sdeganis@ODGWLAW.com

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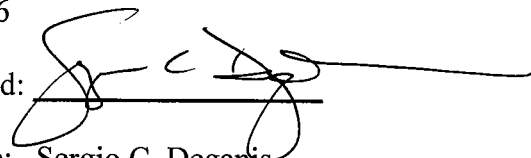
AFFIDAVIT OF GOOD CAUSE

I, Sergio C. Deganis, having been duly sworn, depose and say and hereby attest to the following facts:

- 1: I believe in the obligation of an oath;
- 2: I am of legal age, over 18;
- 3: A Scheduling Conference in the above captioned matter is currently set for
November 30, 2006 at 2:30 pm.
- 4: I am unable to attend the Scheduling Conference as set due to the scheduling of a
Mediation in another matter I am handling.
- 5: I am the only attorney in my office who is admitted to the Federal Bar for the
District of Massachusetts.
- 6: I have contacted Atty. James Poliquin, counsel for Defendant Keith Baumm and
have obtained his consent to the granting of this motion.

7. Both Atty. Poliquin and I are available on December 12, 18 and 19, 2006 for the rescheduling of this conference.

Dated at Cheshire, Connecticut, this 12th day of June, 2006


Signed: 

Name: Sergio C. Deganis

The foregoing Affidavit was acknowledged before me this 14th day of November, 2006

State of Connecticut

County of New Haven



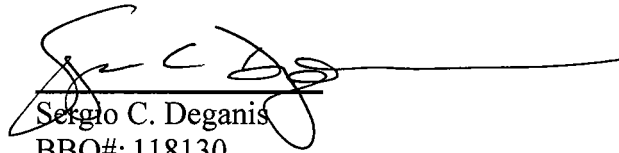
Notary Public/Commissioner of
Superior Court

PATRICIA MALIS
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2008

CERTIFICATION

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 14, 2006. I further certify that pursuant to local rule 7.1(a) I have contacted Attorney Poliquin regarding this matter and he consents to the granting of this motion.

By:

A handwritten signature in black ink, appearing to read 'Sergio C. Deganis', is written over a horizontal line.

Sergio C. Deganis

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